REMARKS

Claims 1-12 are pending. By this Amendment claims 1, 7 and 10 have been amended to respond to the claim objections noted in the outstanding Office Action. Claims 1-12 are pending.

The Office Action rejected claims 1-12 under 35 USC 103(a) as being unpatentable over Sanmugam US 5,734,977 in view of Clarke et al. US 5,793,752 (hereafter Clarke). Applicant respectfully traverses the rejection because the combined teachings of Sanmugam and Clarke fail to teach or suggest all the features of the rejected claims.

For example, Sanmugam and Clarke fail to teach or suggest, alone or in combination, "receiving a trace command in said functional entity, the command indicating the tracer and identifying at least one subscriber whose signalling messages are to be traced," as recited in claims 1-6, operating means arranged to "give a trace command to the network element, the command indicating the tracer and identifying at least one subscriber whose signalling messages are to be traced," as recited in claims 7-9, or "reception means for receiving a trace command, which indicates the tracer and identifies at least one subscriber whose signalling messages are to be traced," as recited in claims 10-12.

Further, Sanmugam and Clarke, analyzed individually or in combination, fails to teach or suggest, "sending to the tracer a copy of a signalling message in response to the reception or transmission of a signalling message related to the subscriber to be traced," as recited by claims 1-6, a network element "arranged to send to the tracer a copy of signalling messages related to the subscriber in response to the trace command," as recited in claims 7-9, or "means for sending to the tracer copies of the signalling messages related to the subscriber to be traced," as recited in claims 10-12.

PRIOR ART FAILS TO TEACH OR SUGGEST TRACING SIGNALLING MESSAGES

The Office Action relied on column 24, line 55 – column 26, line 39 of Sanmugam for support for the features related to the tracing of signalling messages. However, that passage of Sanmugam, and Sanmugam generally, merely teaches <u>a subscriber activity tracing system,</u> which is materially different from the claimed <u>subscriber identification system used to identify a subscriber whose signalling messages are to be traced.</u>

In fact, Sanmugam merely relates to fraud detection in mobile communication. In order to detect fraud, data is collected on activity such as the type, time, location and frequency of communication for particular subscribers. Thus, the particular data that is traced

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by Sanmugam is data peripheral to the signalling message (i.e. type, time, location, frequency) but is NOT the signalling message data itself. Examples of signalling message data such as registration notification, registration cancellation, remote feature control and cellular subscriber station inactive messages are provided in column 25, lines 60-63 of Sanmugam.

The data representative of the signalling message is not the same as the data representative of the activity (i.e. type, time, location, frequency) of the message. Therefore, Sanmugam's tracing of signalling messages is not the same as tracing of activity related to the signalling messages. Thus, Sanmugam is materially lacking important aspects of the claimed invention.

Clarke et al. fails to remedy the above-identified deficiencies of Sanmugam because Clark et al. merely teaches a monitoring probe connected to a signalling link between two nodes arranged to automatically feedback results of monitoring operations.

Therefore, Sanmugam and Clarke fails to teach or suggest receipt of a trace command indicating the tracer and identifying at least one subscriber whose signalling messages are to be traced.

PRIOR ART FAILS TO TEACH OR SUGGEST SENDING TO THE TRACER A COPY OF A SIGNALLING MESSAGE

The Office Action acknowledged that Sanmugan failed to disclose sending to the tracer a copy of a signalling message and relied on Clarke et al. for support for that feature. However, Clarke et al. also fails to teach this aspect of the claimed invention. Clarke et al. teaches that monitoring is performed automatically upon reception of messages (see column 9, lines 51-54).

The Office Action relied on column 10, lines 47-63, which teaches collecting and sending "functionality information" for link-end nodes. However, such collection is in no way equivalent to sending to the tracer a copy of a signalling message related to a subscriber to be traced. The information related to the link end nodes is not taught or suggested to include a copy of a signalling message. As described in column 9, lines 27-50, the functionality-related fields 57-59 all contain data which is related to signalling messages but none of which are copies of the signalling messages.

Therefore, Sanmugam and Clarke fails to teach or suggest sending to the tracer a copy of the signalling message.
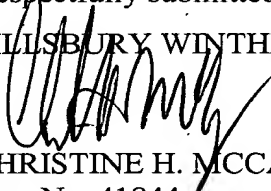
CONCLUSION

Based on the above arguments, claims 1-12 are patentable over the combination of Sanmugan and Clarke et al. fail to teach or suggest important aspects of the claimed invention and these claims are patentable over the cited prior art and are allowable.

All objections and rejections have been addressed. Therefore, Applicant requests issuance of a notice of allowance indicating the allowability of all pending claims. If anything further is necessary to place the application in condition for allowance, Applicant requests that the Examiner contact Applicant's undersigned representative at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,
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